

# TEXAS STATE SOIL AND WATER CONSERVATION BOARD

## Monthly Program News and Activities

4311 South 31<sup>st</sup> Street, Suite 125, Temple, Texas 76502

P.O. Box 658, Temple, Texas 76503 (254) 773-2250

<http://www.tsswcb.state.tx.us>

January 2010

The TSSWCB produces this monthly update of the agency's activities as an informational service to local soil and water conservation district directors. I hope you find this information helpful, and if you have any questions please don't hesitate to call your local Field Representative or our State Headquarters.

**REX ISOM, Executive Director**

### **Budgeting and Accounting**

- December 31st was the deadline for submitting Audits and Financial Statements to be approved for Fiscal Year 2009.
- January 31st is the deadline for Audits to be approved for Fiscal Year 2009.
- January 31st is the deadline for Internal Revenue Service W-2 and 1099 forms to be mailed to recipients for Calendar Year 2009.

Program	
Texas Groundwater Protection Committee	9
Upcoming Meetings	13
Water Quality Planning & Implementation	13
Water Supply Enhancement Program	21
Flood Control Dams	22

### **CONTENTS**

State Board Work Sessions and Meetings	1
Budget and Accounting	2
Human Resources	2
Special Projects	2
Public Information and Education	3
Water Quality Management Plan Program	3
Poultry Water Quality Management Plans	4
Texas Nonpoint Source Management Program	4
Clean Water Act, §319(h) NPS Grant Program	6
State General Revenue Grant Funding	7
Total Maximum Daily Load Program	7
Texas Coastal Nonpoint Source Pollution Control	8

### **STATE BOARD WORK SESSIONS AND MEETINGS**

The State Board has scheduled a Board Work Session for 1:30 p.m. on **Wednesday, March 17, 2010**. A formal State Board Meeting is scheduled for 8:00 a.m. on **Thursday, March 18, 2010**. Both events will take place at the Hilton Garden Inn in Temple.

For more information on past and pending State Board Work Sessions and Meetings, please visit the agency's website at

<http://www.tsswcb.state.tx.us/boardmeetings>, or contact Karen Preece at (254) 773-2250, ext. 245.

## Board Meeting Minutes

Minutes from the January 21, 2010, State Board Meeting will be considered for approval at the meeting scheduled for March 18, 2010. To view any past Board Meeting minutes visit the agency's website at

<http://www.tsswcb.state.tx.us/boardmeetings/minutes>

---

## BUDGET AND ACCOUNTING

- December 31st was the deadline for submitting Audits and Financial Statements to be approved for Fiscal Year 2009.
- January 31st is the deadline for Audits to be approved for Fiscal Year 2009.
- January 31st is the deadline for Internal Revenue Service W-2 and 1099 forms to be mailed to recipients for Calendar Year 2009
- The maximum state mileage reimbursement rate for travel will decrease to 50 cents per mile on Jan. 1, 2010. Therefore the maximum district director mileage reimbursement rate for travel will also decrease to 50 cents per mile starting Jan. 1, 2010.
- February 28th is the deadline for W-2 and 1099 to reach IRS if filing manually.

---

## HUMAN RESOURCES

TSSWCB is not currently recruiting for the any positions.

For more information on TSSWCB employment please visit the link below:

<http://www.tsswcb.state.tx.us/en/employment>

---

## SPECIAL PROJECTS

### Program Overview

Special Projects is a department within the TSSWCB that provides coordination for the Annual State Meeting of Soil and Water Conservation Directors, facilitates open government functions required by the Texas Administrative Procedures Act, and directs the completion of other mandatory agency responsibilities such as compiling the agency's Semi-Annual Report and rule making.

### 70th Annual State Meeting of Texas Soil and Water Conservation District Directors

The 70<sup>th</sup> Annual State Meeting is scheduled for October 25-27, 2010 in Lubbock.

### Proposed Amendments of Adopted New Rule (31 TAC §529, Subchapter A) – Flood Control O&M Grant Program

The State Board proposes to amend the new rule 31 TAC §529, Subchapter A with amendments that make some typographical corrections, clarification of intent, and expanding the definition of O&M to stipulate that maintenance of roads within the easement may be considered as in-kind contribution of match.

The proposed rule amendment was published in the January 1, 2010 issue of the *Texas Register* for review and comment.

### Proposed New Rule (31 TAC §529, Subchapter B) – Flood Control Structural Repair Grant Program

The State Board proposes new §529, Subchapter B, relating to Flood Control Structural Repair on flood control dams.

The proposed new rule was published in the January 1, 2010 issue of the *Texas Register* for review and comment.

## Rule Review and Proposed Amendments of Rule (31 TAC §518, Subchapter B) – Historically Underutilized Business Program

Under the State Board's rule review plan, the board is reviewing its historically underutilized business program rule. The board believes the rule is still needed and has also proposed amendments to the rule to update references contained in the rule.

The Rule Review notice and the proposed amendment to the rule were published in the December 25, 2009 issue of the *Texas Register* for review and comment.

### State Brush Plan Public Hearing

The State Board adopted the State Brush Plan at a public hearing held on January 20, 2010. It is available on our website at <https://www.tsswcb.state.tx.us/reports/#Brush%20Plan%202009>

---

## PUBLIC INFORMATION AND EDUCATION

**Program Development Workshop**— Forty-three individuals attended the Program Development Workshop held January 26-27 in Temple. Working in cooperation with NRCS, a select number of new District Conservationists also attended the training.

**Soil Stewardship Public Speaking Contest**—The 2010 Soil Stewardship Public Speaking Contest packet was sent to all soil and water conservation districts and FFA Area Coordinators this month. The theme of the public speaking contest materials is based on the Annual NACD Soil Stewardship theme which this year is "Conservation Habits = Healthy Habitats".

## TSSWCB Conservation Video Library About The Catalog

There are over 200 conservation-related videos available; the 2009 catalog can be downloaded from the TSSWCB website at <http://www.tsswcb.state.tx.us/files/docs/infoed/2009VideoLibraryCatalogue.pdf>. The 2009 Catalog includes 30 new titles in DVD format. No rental fees are assessed to those wishing to borrow the videos from the library. However, the borrower is responsible for paying the return postage. Borrowing privileges are for a length of two weeks and must be returned upon the date specified by the librarian. Videos can be ordered through your local SWCD or by contacting the Public Information/Education department of the TSSWCB.

### How Shipping Works

The Association of Texas Soil and Water Conservation Districts' Public Information/Education Committee will pay the first transit postage costs to mail the video(s) to the requester. Postage for returning the video(s) will be the responsibility of the borrower. All videos must be insured upon return.

### Ordering a Video

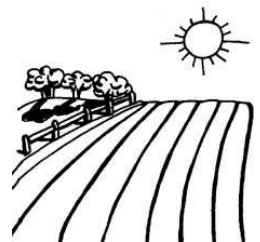
Select a video from the TSSWCB Conservation Video Catalog, then contact Meredith Whitley at [mwhitley@tsswcb.state.tx.us](mailto:mwhitley@tsswcb.state.tx.us) to check it out.

---

## WATER QUALITY MANAGEMENT PLAN PROGRAM

### Program Overview

The passage of Texas Senate Bill 503 (1993) directed the Texas State Soil and Water Conservation Board to implement water quality management plans (WQMPs) in Texas. A WQMP is a site-specific plan developed through and approved by SWCDs for agricultural or silvicultural lands. The agency has been implementing WQMPs



since the mid 1990s and has completed over 10,000 plans in the State of Texas.

<http://www.tsswcb.state.tx.us/wqmp>.

A total of 753 WQMPs were certified by the State Board in FY2009. This is 21.5% greater than the yearly goal.

District cost-share fund allocations for FY2010 have been approved by the State Board. The period for obligating FY2010 cost-share funds goes from September 1, 2009 to April 30, 2010.

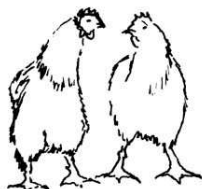
Lapsed cost-share funds have been reduced by 69% in the last five years. Approximately 8.3% of total cost-share funds are being lapsed statewide at the present time. The lapsed fund report for FY-07 was completed in September, 2009.

---

## POULTRY WATER QUALITY MANAGEMENT PLANS

### Overview

In 2001, the 77th Texas Legislature amended the Texas Water Code to require all persons who own or operate a poultry facility to implement and maintain a Water Quality Management Plan that is certified by the State Soil and Water Conservation Board. In 2009, the 81<sup>st</sup> Texas Legislature has amended the Texas Water Code to require TSSWCB to assess whether the siting and construction of all new poultry farms or existing farms that expand by more than 50% within ½ mile of permanently inhabited residences, businesses, or places of worship is likely to cause a persistent nuisance odor. Rules pertaining to this requirement were published in the Texas Register for a 30-day public comment period. No comments were received. The State Board adopted the rule at its November 19, 2009 meeting. The new law also requires all poultry producers and most receivers of poultry litter to keep records of poultry litter usage.



For more information on Poultry WQMPs, please visit:

<http://www.tsswcb.state.tx.us/poultry>.

### Program Activities

TSSWCB continues to conduct inspections of poultry Concentrated Animal Feeding Operation facilities to ensure they are meeting all the necessary requirements. In addition, staff continues to review and update existing WQMPs and develop plans for newly constructed farms.

For more information on the Poultry Program contact the poultry office at (936) 462-7020.

---

## TEXAS NONPOINT SOURCE MANAGEMENT PROGRAM

### Program Overview

The federal Clean Water Act (CWA) requires States to develop a program to protect the quality of water resources from the adverse effects of nonpoint source (NPS) water pollution. The *Texas NPS Management Program* is the State's official roadmap for addressing NPS pollution. The program publication is updated every five years. The most recent revision was submitted to the U.S. Environmental Protection Agency (EPA) by the Governor in December 2005. The *Texas NPS Management Program* is jointly administered by the TSSWCB and the Texas Commission on Environmental Quality (TCEQ).

The *Texas NPS Management Program* utilizes baseline water quality management programs and regulatory, voluntary, financial, and technical assistance approaches to achieve a balanced program. NPS pollution is managed through assessment, planning, implementation, and education. The TCEQ and TSSWCB have established goals and objectives for guiding and tracking the progress of NPS management in Texas. Success in achieving the goals and objectives are

reported annually in the NPS Annual Report, which is submitted to EPA in accordance with the CWA.

Implementation of the *Texas NPS Management Program* involves partnerships among many organizations. With the extent and variety of NPS issues across Texas, cooperation across political boundaries is essential. Many local, regional, state, and federal agencies play an integral part in managing NPS pollution, especially at the watershed level. They provide information about local concerns and infrastructure and build support for the kind of pollution controls that are necessary to prevent and reduce NPS pollution. SWCDs are vital partners in working with landowners to implement best management practices (BMPs) that prevent and abate agricultural and silvicultural NPS water pollution. By establishing coordinated frameworks to share information and resources, the State can more effectively focus its water quality protection efforts.

For more information on the *Texas Nonpoint Source Management Program*, visit our website at <http://www.tsswcb.state.tx.us/managementprogram>.

The following is a compilation of relevant information pertaining to the multiple water quality programs administered by and/or coordinated through the TSSWCB Statewide Resource Management (SRM) group that collectively represent the agency's efforts in supporting the goals and objectives of the *Texas NPS Management Program*.

### **Watershed Approach**

Protecting the State's rivers, streams, lakes, bays, and aquifers from the impacts of NPS pollution is a complex process. Texas uses a Watershed Approach to focus efforts on the highest priority water quality issues of both surface and ground water. The Watershed Approach is based on the following principles:

- Geographic focus based on hydrology rather than political boundaries;
- Water quality objectives based on scientific data;

- Coordinated priorities and integrated solutions; and,
- Diverse, well-integrated partnerships.

For groundwater management, the geographic focus is on aquifers rather than watersheds. Otherwise, the approach is the same. Wherever interactions between surface and ground water are identified, management activities will support the quality of both resources.

The TSSWCB applies the Watershed Approach to managing NPS pollution by channeling its efforts to restore and protect water quality through the development and implementation of WPPs and TMDLs in those watersheds where agricultural and/or silvicultural NPS pollution is contributing to a water quality impairment or concern to an extent which TSSWCB believes is sufficient to justify expenditure of agency resources. A list of these watersheds including links to on-going restoration projects within those watersheds is available at <http://www.tsswcb.state.tx.us/watersheds>.

### **Texas Nonpoint Source Management Program – 2010 Revision Status**

TSSWCB SRM staff and TCEQ staff are in the process of updating the *Texas NPS Management Program* document. Staffs from both agencies are currently reviewing the revised, draft chapters of the 2010 program publication. A completed draft is expected by the middle of February 2010. After which, staff intend to circulate the draft document to affected entities for preliminary review and comments. The revised program publication must be submitted to EPA by December 2010 to ensure continued CWA §319(h) funding.

On January 11, 2010, TSSWCB SRM staff [Aaron Wendt, Donna Long] joined TCEQ staff in a meeting with staff from the Texas Water Development Board (TWDB) to discuss coordination between the three agencies. While TCEQ and TSSWCB receive CWA §319(h) grant monies from EPA, TWDB manages the Clean Water State Revolving Fund (CWSRF) which is another federal CWA program administered by EPA. The CWSRF provides loans at interest rates



lower than the market to political subdivisions to be used for planning, design, and construction of wastewater treatment facilities; wastewater recycling and reuse facilities; sewer collection systems; stormwater pollution control projects; and NPS pollution control projects. Discussion focused on increasing the use of the CWSRF for NPS projects designed to implement WPPs and TMDLs.

On January 11, 2010, TSSWCB SRM staff [Aaron Wendt, Donna Long] met with TCEQ staff to discuss a mechanism for the identification of priority waterbodies to include in this revision of the *Texas NPS Management Program* document. Priority waterbodies identified in the document will guide the direction of State programs and funding mechanisms to prevent and abate NPS pollution and restore water quality over the next five years.

#### **FY2009 Nonpoint Source Annual Report Status**

TSSWCB SRM staff and TCEQ staff are finalizing the *2009 Annual Report on Managing NPS Water Pollution in Texas*. In order to continue receiving CWA §319(h) funds, the State must annually report on success in achieving the goals and objectives of the *Texas NPS Management Program*. The report will highlight the State's efforts during FY2009 to collect data, assess water quality, implement projects that reduce or prevent NPS pollution, and educate and involve the public to improve and maintain the quality of water resources. This report must be submitted to EPA in January 2010 to ensure continued funding.

#### **Nonpoint Source Grant Program**

The NPS Grant Program is administered by the TSSWCB for the purpose of providing funding as grants to cooperating entities for activities that address the goals and objectives stated in the Texas NPS Management Program. The Texas Legislature and the U.S. Congress (through the EPA) provide funding to the TSSWCB to administer the agricultural and silvicultural components of the Texas NPS Management Program through the TSSWCB NPS Grant Program.

Agricultural and silvicultural NPS pollution prevention and abatement activities that can be

funded through the NPS Grant Program include: implementation of WPPs and the NPS portion of TMDL Implementation Plans (I-Plans), surface water quality monitoring, demonstration of innovative BMPs, technical and financial assistance for the development and implementation of WQMPs, public outreach and education, development of WPPs, and monitoring activities to determine the effectiveness of specific pollution prevention methods.

Summaries of the TSSWCB's activities within specific watersheds funded through this NPS Grant Program are available in the *Water Quality Planning and Implementation* section of this report.

### **Clean Water Act §319(h) Grant Funding**

#### **Background**

Congress enacted §319(h) of the CWA in 1987, establishing a national program to control NPS water pollution. Through §319(h), federal funds are provided through the EPA to States for the development and implementation of each State's NPS Management Program. The §319(h) funding in Texas is divided equally between the TCEQ and the TSSWCB. Over the past several years, the State's allocation has been approximately \$9 million.

#### **FY2010 Request for Proposals**

SRM staff identified priority areas and activities for this funding cycle based on the *Texas NPS Management Program* and the *2008 Texas Water Quality Inventory and 303(d) List*. Twenty-two proposals requesting nearly \$8.5 million in federal funding were received through the public Request-for-Proposals. Proposals are currently being reviewed by SRM staff based on the published ranking criteria and selected for funding. Projects receiving federal funding must be submitted to EPA in early summer 2010 for review and approval.

#### **FY2003 – FY2009 CWA §319(h) Grant Status**

There are currently 61 ongoing §319(h) grant-funded projects addressing a wide array of agricultural and silvicultural NPS issues. Unliquidated federal funds for these 61 ongoing projects total approximately \$16 million and are

primarily being used to address NPS pollution from animal feeding operations, prevent atrazine runoff, provide technical assistance, implement BMPs, support various NPS outreach/education programs, develop and implement WPPs, and implement the NPS portion of TMDL I-Plans. Summaries of the TSSWCB's activities within specific watersheds funded through these grants are available in the *Water Quality Planning and Implementation* section of this report.

## State General Revenue Grant Funding

### Background

The 80<sup>th</sup> Texas Legislature appropriated \$3.1 million dollars in general revenue funds, for the FY2008-FY2009 biennium, to the TSSWCB for the purpose of planning, implementing, and managing programs and practices for preventing and abating agricultural and silvicultural NPS water pollution in impaired watersheds. The 81<sup>st</sup> Texas Legislature renewed this appropriation for the FY2010-FY2011 biennium. TSSWCB is committed to funding projects encompassing monitoring, assessment, modeling, planning, education and implementation that address the goals and objectives stated in the *Texas NPS Management Program*. On September 17, 2009, the Board approved a revised *TSSWCB Policy on TMDLs and Watershed Planning, Assessment, and Implementation Activities* which provides guidance to SRM staff on directing these state appropriations for the NPS Grant Program.

### FY2008 Grant Status

On July 19, 2007, the Board approved an operating budget for FY2008 that allocated \$1,200,494 in state appropriations to the NPS Grant Program. There are currently two ongoing projects associated with the Little Brazos River Tributaries Bacteria Assessment Project. Five projects have been completed.

### FY2009 Grant Status

On July 17, 2008, the Board approved an operating budget for FY2009 that allocated \$1,296,426 in state appropriations to the NPS Grant Program. There are currently thirteen ongoing projects that support implementation of agricultural NPS

components of TMDL I-Plans, technical assistance for the development of WQMPs on agricultural lands, demonstration of innovative BMPs on animal feeding operations, and the collection and analysis of water quality data for watersheds with impaired waterbodies.

### FY2010 Grant Status

On July 16, 2009, the Board approved an operating budget for FY2010 that allocated \$1,200,494 in state appropriations to the NPS Grant Program. SRM staff are in the process of developing workplans and budgets with collaborating entities for various projects.

## Total Maximum Daily Load Program

### Background

The CWA requires Texas to identify lakes, rivers, streams and estuaries failing to meet or not expected to meet water quality standards and not supporting their designated uses (swimming, drinking, aquatic life, etc.). This list of impaired waterbodies is known as the *Texas 303(d) List* and must be submitted to the EPA for review and approval every two years.

The State must then establish a (TMDL) for certain waterbodies identified on the *Texas 303(d) List*. A TMDL defines the maximum amount of a pollutant that a waterbody can assimilate on a daily basis and still meet water quality standards. The pollution reduction goal set by the TMDL is necessary to restore attainment of the designated use of the impaired waterbody. The maximum amount of a pollutant is determined by conducting a detailed water quality assessment that provides the information for a TMDL to allocate pollutant loads between point sources and nonpoint sources. It also takes into account a margin of safety, which reflects uncertainty and future growth.

Based on the environmental target of the TMDL, an (I-Plan) is then developed that prescribes the measures necessary to mitigate anthropogenic (human-caused) sources of that pollutant in that waterbody. The I-Plan specifies limits for point source dischargers and recommends BMPs for

nonpoint sources. It also lays out a schedule for implementation. Together, the TMDL and the I-Plan serve as the mechanism to reduce the pollutant, restore the full use of the waterbody and remove it from the *303(d) List*. EPA must approve the TMDL, but the I-Plan only requires State approval.

With authority as the lead agency in Texas for planning, implementing, and managing programs and practices for preventing and abating agricultural and silvicultural NPS water pollution, TSSWCB shares responsibility with the TCEQ for the development and implementation of TMDLs. TSSWCB is committed to funding and collaborating with TCEQ on TMDL projects encompassing monitoring, assessment, modeling, planning, education and implementation. More information on TMDLs is available at <http://www.tsswcb.state.tx.us/tmdl>.

The TSSWCB's efforts to restore water quality are channeled through TMDL and WPP development and implementation. Impaired waters may be addressed through either mechanism depending on the specific situation. Summaries of the TSSWCB's activities within specific watersheds are available in the *Water Quality Planning and Implementation* section of this report.

## **Watershed Protection Plan Program**

### **Background**

Watershed Protection Plans (WPPs) are locally-driven mechanisms for voluntarily addressing complex water quality problems that cross multiple jurisdictions. WPPs are coordinated frameworks for implementing prioritized and integrated water quality protection and restoration strategies driven by environmental objectives. Through the WPP process, TSSWCB encourages stakeholders to holistically address all of the sources and causes of impairments and threats to both surface and ground water resources within a watershed.

WPPs serve as tools to better leverage the resources of local governments, state and federal agencies, and non-governmental organizations. WPPs integrate activities and prioritize implementation

projects based upon technical merit and benefits to the community, promote a unified approach to seeking funding for implementation, and create a coordinated public communication and education program. Developed and implemented through diverse, well integrated partnerships, a WPP assures the long-term health of the watershed with solutions that are socially acceptable and economically viable which achieve environmental goals for water resources. Adaptive management is used to modify the WPP based on an on-going science-based process involving monitoring and evaluating strategies and incorporating new knowledge into decision-making.

TSSWCB-sponsored WPPs are consistent with guidelines promulgated by the EPA in 2003. These guidelines describe nine elements fundamental to a potentially successful plan. TSSWCB provides technical and financial assistance to local stakeholder groups to develop and implement WPPs to address significant agricultural or silvicultural NPS issues. While WPPs sponsored by TCEQ have significant water quality issues related to urban NPS pollution or wastewater treatment, most, to varying degrees, have agricultural or silvicultural NPS pollution components. There are several other watershed planning projects across the state which are funded and sponsored by entities and agencies other than TSSWCB or TCEQ. These third-party WPPs may or may not adequately satisfy EPA's nine elements. More information on WPPs is available at <http://www.tsswcb.state.tx.us/wpp>.

The TSSWCB's efforts to restore water quality are channeled through WPP and TMDL development and implementation. Impaired waters may be addressed through either mechanism depending on the specific situation. Summaries of the TSSWCB's activities within specific watersheds are available in the *Water Quality Planning and Implementation* section of this report.

## **Coastal NPS Pollution Control Program**

### **Background**

The Texas Coastal Management Program (CMP) was created to coordinate state, local, and federal



programs for the management of Texas coastal resources. The program brings in federal Coastal Zone Management Act (CZMA) funds to Texas to implement projects and program activities for a wide variety of purposes. The Texas General Land Office (GLO) is responsible for coordinating activities associated with the CMP. The Coastal Coordination Council (CCC), established by the Texas Legislature, administers the CMP; the TSSWCB is a statutorily-authorized member of the CCC.

The CCC is charged with adopting uniform goals and policies to guide decision-making by all entities regulating or managing natural resource use within the Texas coastal area. The CCC reviews significant actions taken or authorized by state agencies and subdivisions that may adversely affect coastal natural resources to determine consistency with CMP goals and policies. In addition, the CCC oversees the CMP Grants Program and the Small Business and Individual Permitting Assistance Program.

The Coastal Zone Act Reauthorization Amendments (CZARA) §6217, requires each State with an approved CMP to develop a federally approvable program to control coastal NPS pollution. The National Oceanic and Atmospheric Administration (NOAA) and the EPA jointly administer §6217 at the federal level. In Texas, the TSSWCB and the TCEQ hold primary responsibility for the coastal NPS program's development and implementation.

More information on the CMP is available at <http://www.glo.state.tx.us/coastal.html>.

#### **Coastal Coordination Council (CCC)**

The next CCC meeting will be held February 11, 2010 in Austin.

CCC meeting information is available at <http://www.glo.state.tx.us/coastal/ccc.html>.

#### **Coastal Management Program Grant Cycle 15**

The deadline for proposals for CMP Grant Cycle 15 was October 14, 2009. As in previous grant cycles,

the CCC expects to award approximately \$1.8 million for planning, acquisition, construction, education, and research projects. The grant review team, which includes TSSWCB SRM staff, has reviewed the 38 proposals received and will make recommendations to the CCC at its February 2010 meeting. Selected projects will have a proposed project start date of October 2010.

## **Texas Groundwater Protection Committee**

### **Background**

Established by the Texas Legislature in 1989, the Texas Groundwater Protection Committee (TGPC) bridges the gap between State groundwater programs, improves coordination between member agencies and works to protect groundwater as a vital resource; the TSSWCB is a statutorily-authorized member of the TGPC.

The Texas Water Code sets non-degradation of the State's groundwater resources as the goal for all State programs and asserts that groundwater be kept reasonably free of contaminants that interfere with its present and potential uses. The TGPC implements the State's groundwater protection policy which:

- requires that pollution discharges, waste disposal and other regulated activities not harm public health or impair current or potential groundwater use,
- recognizes the variability between aquifers,
- acknowledges the importance of water quality,
- balances the protection of the environment and the long-term economic health of the state, and
- recognizes the use of the best professional judgment of the responsible state agencies to implement the policy.

The Texas Groundwater Protection Committee:

- Reports on its activities and recommends new protection programs to the Legislature.
- Publishes numerous reports.

- Advises the TCEQ on the development of agricultural chemical plans for groundwater.
- Develops, implements and updates a comprehensive *Texas Groundwater Protection Strategy* and an annual *Joint Groundwater Monitoring and Contamination Report*.

More information on the TGPC is available at <http://www.tgpc.state.tx.us/>.

### **TGPC Activities**

On January 6, 2010, TSSWCB SRM staff [Donna Long] and TSSWCB program staff [Mel Davis] attended a TGPC Public Outreach and Education Subcommittee meeting in Austin.

### **Water Quality Coordination Activities**

#### **MOA Coordination with TCEQ**

On September 27, 2006, at a joint meeting, the TSSWCB and the TCEQ approved a new *Memorandum of Agreement (MOA) on TMDLs, I-Plans, and WPPs*. This framework for collaboration between the two agencies describes the programmatic mechanisms employed to develop and implement TMDLs and WPPs. TSSWCB staff continue to work with TCEQ staff to implement components of the MOA. The MOA is available at <http://www.tsswcb.state.tx.us/tmdl#moa>.

On December 1, 2009, TCEQ announced a major internal reorganization of its water programs through the formation of a new Office of Water. The new office encompasses the three existing major water divisions in the agency: Water Quality Planning, Water Supply, and Water Quality [permitting]. L'Oreal Stepney will serve as the Deputy Director over the new Office of Water. TSSWCB SRM staff primarily interact with TCEQ staff from the Water Quality Planning Division. Early in 2009, TCEQ completed the internal reorganization that consolidated water quality standards, monitoring, planning, and implementation into the Water Quality Planning Division.

On December 1-2, 2009, TSSWCB SRM staff [John Foster, TJ Helton, Aaron Wendt] participated in a TCEQ-sponsored meeting in Austin. The purpose of the meeting was to discuss TCEQ's long-range strategy to address the depth and breadth of impairments on the *303(d) List*. Clean Rivers Program partners also participated in the meeting and provided insights into the roles they play in the regional management of water resources.

### **Surface Water Quality Standards Triennial Review**

On January 13, 2010, TSSWCB SRM staff [John Foster, Aaron Wendt] attended the TCEQ agenda meeting in Austin. The Commission approved the proposal for public comment of both the Texas Surface Water Quality Standards and the Implementation Procedures (IPs).

These major revisions to the Standards include the establishment of numeric nutrient criteria for large reservoirs and modifications to contact recreation use and bacteria criteria. The IPs are an in-depth protocol that provides guidance and explanation of the general and technical procedures used by TCEQ in applying the Standards. The proposed rulemaking provides for a periodic public review and revision of the State's Surface Water Quality Standards, as provided for in the Texas Water Code, §26.023, and as required by the federal CWA §303(c).

Although the proposed rule language will be published in the *Texas Register* on January 29, 2010, the public comment period has already begun. The public comment period closes March 17, 2010. The TCEQ will conduct a public hearing on March 11, 2010 in Austin to receive testimony regarding: 1) proposed revisions to 30 Texas Administrative Code Chapter 307, Texas Surface Water Quality Standards, §§307.1-307.10; and 2) subsequent revisions to the *Procedures to Implement the Texas Surface Water Quality Standards (IPs)*, RG-194.

TCEQ adoption of the proposed Standards changes and approval of the IPs is not expected until July 2010. If adopted, the final rule will then be published in the Texas Register and become effective in August 2010. EPA must then take

action to approve any changes to the Standards in accordance with the federal CWA.

More information on the Standards, including copies of the proposed rule and guidance, is available at

[http://www.tceq.state.tx.us/permitting/water\\_quality/stakeholders/2010standards.html](http://www.tceq.state.tx.us/permitting/water_quality/stakeholders/2010standards.html).

### **Texas Water Quality Inventory and 303(d) List**

The *Texas Water Quality Inventory* summarizes the status of the State's surface waters, including concerns for public health, fitness for use by aquatic species and other wildlife, and specific pollutants and their possible sources, as required by CWA §305(b). The *Texas 303(d) List* identifies waterbodies not attaining water quality standards (i.e., impaired), as required by the CWA.

In December 2009, TCEQ staff released a pre-draft of the *2010 Inventory and List* to data providers, including Clean Rivers Program partners, other monitoring entities, and the TSSWCB. This preliminary assessment of water quality data was released to data providers in order to identify data that may not be appropriate for the period of record, data that may have been overlooked, and incidences where monitoring locations may not be spatially representative of ambient water quality conditions. TCEQ staff also sought input on quality assurance issues, sources and causes of water quality concerns and impairments, and hydrologic conditions of waterbodies.

On January 7, 2010, TSSWCB SRM staff [Aaron Wendt, Donna Long, TJ Helton] met with TCEQ staff in Austin to discuss issues with the data providers' pre-draft of the *2010 Inventory and List*. SRM staff focused review of the pre-draft on priority waterbodies where TSSWCB has fiscal resources currently invested in the restoration of water quality from agricultural and silvicultural NPS pollution.

After TCEQ staff address comments from data providers, the draft *2010 Inventory and List* will be published for public comment, likely in early spring. TCEQ submission of the final *2010*

*Inventory and List* to EPA is not expected until summer 2010.

More information on the Texas Water Quality Inventory and 303(d) List is available at [http://www.tceq.state.tx.us/compliance/monitoring/water/quality/data/wqm/305\\_303.html](http://www.tceq.state.tx.us/compliance/monitoring/water/quality/data/wqm/305_303.html).

### **Coordination with USDA-NRCS**

On December 7, 2009, TSSWCB Executive Director [Rex Isom], SRM staff [John Foster, TJ Helton, Aaron Wendt, Richard Egg, Lee Munz], and other agency staff, met with USDA Natural Resources Conservation Service (NRCS) Texas principal staff in Austin. Discussion focused on on-going and future coordination of statewide watershed planning and implementation priorities between the two agencies. The need for greater on-the-ground coordination between USDA-NRCS Farm Bill programs with TSSWCB water quality priorities was emphasized.

On December 8, 2009, TSSWCB Executive Director [Rex Isom], SRM staff [John Foster, TJ Helton, Aaron Wendt], and other agency staff, attended a meeting of the USDA-NRCS State Technical Advisory Committee in Austin. Discussion at this meeting focused primarily on implementing changes to the Environmental Quality Incentives Program (EQIP) including consolidating and reducing the number of Statewide Resource Concerns and strengthening the impact of Local Work Groups. Other federal Farm Bill programs were highlighted including the Agricultural Water Enhancement Program (AWEP), the Wildlife Habitat Incentives Program (WHIP), the Wetlands Reserve Program (WRP), and the Conservation Reserve Program (which is administered by USDA Farm Service Agency). More information is available at <http://www.tx.nrcs.usda.gov/programs/stac.html>.

### **Texas Watershed Coordinator Roundtable**

On January 27, 2010, TSSWCB SRM staff [Aaron Wendt, TJ Helton, Pamela Casebolt, Loren Henley, Mitch Conine, Brian Koch, Donna Long], in collaboration with TCEQ and TWRI, hosted the third Texas Watershed Coordinator Roundtable in

Georgetown. The primary purpose of the Roundtable was to provide a forum for continuing dialogue between watershed coordinators in order to facilitate interactive solutions to common issues being faced statewide. Nearly 80 people attended representing almost all of the on-going watershed planning efforts across the state. The primary purpose of the Roundtable was to provide an opportunity for EPA Region 6 to present their Review Guide for Watershed-Based Plans to watershed planners from across the state. A facilitated discussion was held on strategies for demonstrating successful implementation, tracking and reporting success, utilizing WPPs in lieu of TMDLs, and the adaptive management approach. NRCS gave a presentation on integrating WPP implementation priorities with local work groups and federal Farm Bill programs. More information is available at <http://watershedplanning.tamu.edu/watershed-coordinator-roundtable>.

### **Texas Clean Rivers Program**

The Texas Clean Rivers Program (CRP) is a state fee-funded program for water quality monitoring, assessment, and public outreach administered by the TCEQ. CRP is a collaboration of 15 partner agencies who conduct water quality monitoring and assessments in the 23 river and coastal basins in Texas. Each river or coastal basin is assigned to one of the designated CRP partner agencies. Each CRP partner agency has an established steering committee to set monitoring and assessment priorities within its basin. These committees bring together the diverse interests in each basin and are designed to allow local concerns to be addressed through regional solutions. The Texas Water Code requires the TCEQ and CRP partner agencies to coordinate monitoring and assessment activities with local SWCDs through the TSSWCB. The data generated by CRP partner agencies is used to identify significant long-term water quality trends and characterize water quality conditions. Each CRP partner agency develops and publishes an annual *Basin Highlights Report* and a five-year *Basin Summary Report*. The TCEQ also uses CRP-generated data in the biennial assessment conducted for the *Texas Water Quality Inventory and 303(d)*

*List*. More information is available at <http://www.tceq.state.tx.us/nav/eq/texcleanriver.html>.

### **Galveston Bay Estuary Program**

Galveston Bay is an estuary of national importance and, through the federal CWA §320, is included in the National Estuary Program administered by the EPA. The Galveston Bay Council is the stakeholder advisory group that coordinates the implementation of the *Galveston Bay Plan*, which is a Comprehensive Conservation and Management Plan developed under the auspices of the National Estuary Program. The TSSWCB is a named member of the Galveston Bay Council.

More information is available at <http://www.gbep.state.tx.us/>. The implementation of the Galveston Bay Plan affects agricultural and silvicultural operations in watersheds that drain to Galveston Bay in Brazoria, Chambers, Galveston, Harris and Liberty Counties.

### **San Antonio Bay Estuary Program**

On January 12, 2010, TSSWCB SRM staff [Brian Koch] attended the initial Future of San Antonio Bay stakeholder meeting in Victoria. The focus of this meeting was to explore if there is a need for a comprehensive, non-regulatory, watershed-based management plan for San Antonio Bay. The focus would be on the San Antonio Bay complex, including Espiritu Santo, Carlos, Hines, Mesquite, and Guadalupe Bays. Examples of stakeholder groups were provided, including the regional water planning groups, stemming from SB 1, the Edwards Aquifer Recovery Implementation (RIP), the water quality focused Plum Creek Watershed Partnership, and the Coastal Bend Bays and Estuaries Program and the Galveston Bay Estuary Program. Other presentations focused on ecological and human uses of the bay and estuary. The session turned to discussion of stakeholder issues, including water quality and quantity, and the reinforcement that the potential program should not be regulatory, but rather voluntary and proactive. After the discussion, the question was raised on the need of a comprehensive management plan for San Antonio Bay; the group overwhelmingly agreed. The next steps include building a small steering committee to



develop an agenda for the next meeting and begin discussing a path forward. Brian Koch was nominated to serve on this steering committee.

### **TWRI Funding Your Water Research/Education Program Workshop**

On January 11, 2010, TSSWCB SRM staff [John Foster, TJ Helton] participated in the *Funding Your Water Research/Education Program* workshop in College Station. Sponsored by Texas Water Resources Institute, the workshop included a panel of key state and federal water agency personnel who discussed agency roles, research and education needs, collaboration opportunities, and available funding programs. John Foster discussed agency research needs related to bacteria fate and transport and effectiveness of BMPs at reducing pollutants, as well as, the agency's CWA §319(h) NPS grant program.

### **Upcoming Public Meetings**

- February 4, 2010 – Big Cypress Creek Bacteria Assessment Stakeholder Meeting (Mount Pleasant)
- February 9, 2010 – Geronimo Creek Watershed Partnership Steering Committee (Seguin)
- February 11, 2010 – Coastal Coordination Council meeting (Austin)
- February 11, 2010 – Plum Creek Watershed Partnership Steering Committee (Lockhart)
- February 16, 2010 – Bacteria Implementation Group Steering Committee (Houston)
- February 18, 2010 – Galveston Bay Council Water and Sediment Quality Subcommittee (Houston)
- February 18, 2010 – Little Brazos River Tributaries Bacteria Assessment Stakeholder Meeting (Franklin)
- February 23, 2010 – Feral Hog Management Workshop (Luling)
- February 24, 2010 – *Nutrient Losses when Storing Poultry Litter in the Field* (NLPELC webcast)
- February 26, 2010 – *Mitigating Air Emissions with Vegetative Environmental Buffers* (NLPELC webcast)

- March 4, 2010 – Southeast and South Central Texas Regional Watershed Coordination Steering Committee (Columbus)
- March 11, 2010 – TCEQ Public Comment Hearing on proposed Water Quality Standards Revision (Austin)
- March 19, 2010 – *Precision Feeding of Phosphorus for Dairies* (NLPELC webcast)
- March 25, 2010 – Texas Watershed Steward workshop focused on Upper Cibolo Creek (Boerne)

## **WATER QUALITY PLANNING AND IMPLEMENTATION**

The TSSWCB applies the Watershed Approach to managing NPS pollution by channeling its efforts to restore and protect water quality through the development and implementation of WPPs and TMDLs. A list of watersheds including links to on-going restoration projects within those watersheds is available at <http://www.tsswcb.state.tx.us/watersheds> ; more detailed information on all watersheds described below is available at this website.

### **Adams and Cow Bayous**

Impairment: Bacteria, Dissolved Oxygen, pH

Mechanism: TMDL, I-Plan

Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/37-orangecounty.html>. These TMDLs have limited affect on livestock and forestry operations in the Adams and Cow Bayous watershed in Orange, Jasper and Newton Counties.

### **Arroyo Colorado**

Impairment: Bacteria, Dissolved Oxygen

Concerns: Nutrients, Sediment

Mechanism: WPP, TMDL, I-Plan

Lead: TCEQ

On January 21, 2010, TSSWCB regional office staff [Ronnie Ramirez] and TSSWCB SRM staff



[Pamela Casebolt] hosted an Arroyo Colorado WPP Agricultural Issues Workgroup meeting in Weslaco. Updates were provided on projects supporting the implementation of the agricultural NPS components of the WPP, including the development and implementation of WQMPs on cropland operations, outreach and education activities targeted towards agricultural producers, and additional targeted water quality monitoring to refine NPS loadings originating from irrigated cropland. An Arroyo Colorado television public service announcement focused on agriculture is being developed with funding from the Texas General Land Office. The workgroup reviewed and commented on a draft script. Discussion also centered on the lack of producer participation and different ways to get them re-engaged.

On January 21, 2009, TSSWCB regional office staff [Ronnie Ramirez] and TSSWCB SRM staff [Pamela Casebolt] participated in an Arroyo Colorado Watershed Partnership Steering Committee meeting in Weslaco. Discussion centered on workgroup activities which included updates on implementation of agricultural and urban NPS components of the WPP, new and future project funding, and the long-term sustainability of the Arroyo Colorado WPP. The Partnership reviewed and commented on draft scripts for urban and agriculture focused public service announcements.

More information is available at <http://www.arroyocolorado.org/>. This WPP affects farming operations in the Arroyo Colorado watershed in Cameron, Hidalgo and Willacy Counties.

#### **Atascosa River**

Impairment: Bacteria, Dissolved Oxygen  
Mechanism: TMDL, I-Plan  
Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/31-atascosa.html>. This TMDL will affect livestock operations in the Atascosa River

watershed in Atascosa, Bexar, Frio, Karnes, Live Oak, McMullen, Medina and Wilson Counties.

#### **Attoyac Bayou**

Impairment: Bacteria  
Concern: Nutrients  
Mechanism: WPP  
Lead: TSSWCB

More information is available at <http://www.tsswcb.state.tx.us/watersheds#attoyacbayou>. This WPP will affect livestock, farming, and silvicultural operations in the Attoyac Bayou watershed in Nacogdoches, Rusk, San Augustine, and Shelby Counties.

#### **Bastrop Bayou**

Concern: Bacteria  
Mechanism: WPP  
Lead: TCEQ

A draft of the WPP is posted on the website for review and comment.

More information is available at <http://www.bastropbayou.org/>. This WPP has the potential to affect livestock and farming operations in the Bastrop Bayou watershed in Brazoria County.

#### **Big Cypress Creek**

Concern: Bacteria  
Mechanism: Assessment  
Lead: TSSWCB

More information is available at <http://www.tsswcb.state.tx.us/watersheds#bigcypresscreek>. This project will affect poultry and livestock operations in the Big Cypress Creek watershed (including tributaries Hart and Tankersley Creeks) in Titus, Camp, Upshur and Morris Counties.

#### **Brady Creek**

Impairment: Dissolved Oxygen  
Mechanism: WPP  
Lead: TCEQ

More information is available at <http://www.ucratx.org/NPSBrady.html>. This project

has the potential to affect agricultural operations in the Brady Creek watershed in McCulloch, Concho, San Saba and Menard Counties.

### **Buck Creek**

Impairment: Bacteria  
Mechanism: WPP  
Lead: TSSWCB

More information is available at <http://twri.tamu.edu/buckcreek/>. This WPP has the potential to affect livestock and farming operations in the Buck Creek watershed in Donley, Collingsworth, and Childress Counties.

### **Buffalo and Whiteoak Bayous**

Impairment: Bacteria  
Mechanism: TMDL, I-Plan  
Lead: TCEQ

The Bacteria Implementation Group (BIG) is focused on implementing bacteria TMDLs in the greater Houston area, including Buffalo and Whiteoak Bayous. The BIG is responsible for receiving input, establishing workgroups, facilitating communications, developing recommendations, and providing oversight in the development of the I-Plan designed to achieve the load reductions called for in these TMDLs. Current activities of the BIG are detailed in the *Lake Houston* section of this report.

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/22-buffalobayou.html>. This TMDL will have limited affect on livestock operations in the Buffalo and Whiteoak Bayous watershed in Harris, Fort Bend and Waller Counties.

### **Caddo Lake**

Impairment: Dissolved Oxygen, pH  
Mechanism: WPP  
Lead: TCEQ

More information is available at [http://www.netmwd.com/Caddo%20Lake%20Protection%20Plan/Caddo\\_index.html](http://www.netmwd.com/Caddo%20Lake%20Protection%20Plan/Caddo_index.html). This WPP has the potential to affect poultry, forestry and other

agricultural operations in the Caddo Lake watershed in Upshur, Camp, Titus, Morris, Cass, Harrison, Marion, Wood, Gregg, Franklin, and Hopkins Counties.

### **Cedar Creek Reservoir**

Impairment: pH  
Concerns: Nutrients  
Mechanism: WPP  
Lead: Third party

More information is available at <http://nctx-water.tamu.edu/>. This WPP will affect agricultural operations in the Cedar Creek watershed in Henderson, Kaufman, Rockwall and Van Zandt Counties.

### **Clear Creek**

Impairment: Bacteria  
Mechanism: TMDL, I-Plan  
Lead: TCEQ

The Bacteria Implementation Group (BIG) is focused on implementing bacteria TMDLs in the greater Houston area, including Buffalo and Whiteoak Bayous. The BIG is responsible for receiving input, establishing workgroups, facilitating communications, developing recommendations, and providing oversight in the development of the I-Plan designed to achieve the load reductions called for in these TMDLs. Current activities of the BIG are detailed in the *Lake Houston* section of this report.

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/68-clearcreekbacteria.html>. This TMDL has limited affect on livestock operations in the Clear Creek watershed in Galveston, Harris, Brazoria and Fort Bend Counties.

### **Concho River**

Impairment: Bacteria, Dissolved Oxygen, Macroinvertebrate Community  
Mechanism: WPP  
Lead: TSSWCB

More information is available at [http://www.ucratx.org/CRiverRest\\_UCRA.html](http://www.ucratx.org/CRiverRest_UCRA.html).

This WPP will affect farming and livestock operations in the Concho River watershed in Coke, Concho, Crockett, Glasscock, Howard, Irion, Menard, Midland, Reagan, Runnels, Schleicher, Sterling, Tom Green, and Upton Counties.

#### **Copano Bay and Mission and Aransas Rivers**

Impairment: Bacteria  
Mechanism: TMDL, I-Plan  
Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/42-copano.html>. This TMDL will affect livestock operations in the Copano Bay and Mission and Aransas Rivers watershed in Bee, Goliad, Refugio, Karnes, Aransas and San Patricio Counties.

#### **Cypress Creek**

Concerns: Dissolved Oxygen, Bacteria  
Mechanism: WPP  
Lead: TCEQ

More information is available at <http://www.cypresscreekproject.org/>. This WPP has the potential to affect livestock and farming operations in the Cypress Creek watershed in Hays County.

#### **Dickinson Bayou**

Impairment: Bacteria, Dissolved Oxygen  
Mechanism: WPP, TMDL, I-Plan  
Lead: TCEQ

This WPP is proceeding in tandem with the on-going TMDLs for bacteria and dissolved oxygen. More information on the TMDL is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/17-dickinson.html>. More information on the WPP is available at <http://www.dickinsonbayou.org/>. Both the WPP and the TMDLs have the potential to affect farming and ranching operations in the Dickinson Bayou watershed in Galveston and Brazoria Counties.

#### **Eagle Mountain Reservoir**

Impairment: Bacteria  
Concerns: Nutrients  
Mechanism: WPP  
Lead: Third party

More information is available at <http://nctx-water.tamu.edu/>. This WPP has the potential to affect agricultural operations in the Eagle Mountain Reservoir watershed in Clay, Jack, Montague, Parker, Tarrant and Wise Counties.

#### **Elm and Sandies Creeks**

Impairment: Bacteria, Dissolved Oxygen  
Mechanism: TMDL, I-Plan  
Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/31-elmsandies.html>. This TMDL will affect livestock operations in the Elm and Sandies Creeks watershed in Gonzales, DeWitt, Karnes, Wilson and Guadalupe Counties.

#### **Galveston Bay**

Impairment: Bacteria  
Mechanism: TMDL, I-Plan  
Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/74-uppercoastoyster.html>. This TMDL has limited affect on livestock operations around the Galveston Bay complex in Chambers, Harris, Galveston and Brazoria Counties.

#### **Geronimo Creek**

Impairment: Bacteria  
Mechanism: WPP  
Lead: TSSWCB

On January 12, 2010, TSSWCB SRM staff [Loren Henley, Aaron Wendt, Brian Koch] and TSSWCB Field Staff [Kendria Ray] attended the Geronimo Creek Watershed Partnership Steering Committee meeting in Seguin. The primary focus of the meeting was establishment of the Steering Committee membership and the organizational

structure which will guide the development of the WPP. The meeting began with the introductions of the proposed steering committee members and laying out the ground rules of the committee. Presentations were given on point source and nonpoint source pollution in Geronimo and Alligator Creeks, the watershed planning process, and the formation of workgroups.

More information is available at <http://www.tsswcb.state.tx.us/watersheds#geronimocreek>. This WPP has the potential to affect ranching and farming operations in the Geronimo Creek watershed in Guadalupe and Comal Counties.

### **Gilleland Creek**

Impairment: Bacteria  
Mechanism: TMDL, I-Plan  
Lead: TCEQ

More information on the Creekside Conservation Program is available at <http://www.lcra.org/community/conservation/creekside.html>. More information on the TMDL is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/69-gillelandcreekbacteria.html>. This TMDL has limited affect on livestock operations in the Gilleland Creek watershed in Travis County.

### **Lake Granbury**

Concern: Bacteria  
Mechanism: WPP  
Lead: TCEQ

More information is available at <http://www.brazos.org/gbWPP.asp>. This WPP has the potential to affect agricultural operations around Lake Granbury in Hood and Parker Counties.

### **Lake Granger**

Impairment: Bacteria  
Concern: Sediment  
Mechanism: WPP  
Lead: TSSWCB

More information is available at <http://www.tsswcb.state.tx.us/watersheds#lakegrang>

[er](#). This WPP will affect farming and livestock operations in the Lake Granger watershed in Williamson and Burnet Counties.

### **Hickory Creek**

Concern: Nutrients, Sediment  
Mechanism: WPP  
Lead: TCEQ

More information is available at <http://www.cityofdenton.com/pages/mygoenvironmentalwater319grant.cfm>. This WPP has the potential to affect farming and livestock operations in the Hickory Creek watershed in Denton County.

### **Lake Houston**

Impairment: Bacteria  
Mechanism: TMDL, I-Plan  
Lead: TCEQ

The Bacteria Implementation Group (BIG) is focused on implementing bacteria TMDLs in the greater Houston area, including Lake Houston, Buffalo and Whiteoak Bayous, Clear Creek and others. The BIG is responsible for receiving input, establishing workgroups, facilitating communications, developing recommendations, and providing oversight in the development of the I-Plan designed to achieve the load reductions called for in these TMDLs.

More information on the greater Houston area Bacteria Implementation Group (BIG) is available at <http://www.h-gac.com/community/water/tmdl/BIG/default.aspx>.

More information on the Lake Houston TMDLs is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/82-lakehouston.html>. These TMDLs have the potential to affect livestock operations in the Lake Houston watershed in Grimes, Harris, Liberty, Montgomery, San Jacinto, Walker and Waller Counties.

### **Lake O' the Pines**

Impairment: Dissolved Oxygen  
Mechanism: TMDL, I-Plan  
Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/19-lakeopines.html>. This TMDL and I- Plan affect poultry, dairy and forestry operations in the Lake O' the Pines watershed in Upshur, Camp, Titus, Morris, Cass, Harrison and Marion Counties.

#### **Lake Somerville**

Impairment: pH, Dissolved Oxygen  
Mechanism: Assessment  
Lead: TCEQ

This project has the potential to affect farming and livestock operations in the Lake Somerville watershed in Bastrop, Burleson, Lee, Milam, Washington, and Williamson Counties.

#### **Lampasas River**

Impairment: Bacteria, Dissolved Oxygen  
Mechanism: WPP  
Lead: TSSWCB

More information is available at <http://www.lampasasriver.org/>. This WPP will affect livestock operations in the Lampasas River watershed in Bell, Burnet, Hamilton, Lampasas and Mills Counties.

#### **Leon River**

Impairment: Bacteria, Dissolved Oxygen  
Mechanism: WPP, TMDL, I-Plan  
Lead: TCEQ (TMDL), TSSWCB (WPP)

More information on the postponed bacteria TMDL is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/34-leonbacteria.html>. More information on the WPP is available at <http://www.brazos.org/LeonRiverWPP.asp>. Both the WPP and the TMDL will affect livestock operations in the Leon River watershed in Comanche, Coryell, Mills, Erath and Hamilton Counties.

#### **Little Brazos River Tributaries**

Impairment: Bacteria  
Mechanism: Assessment

Lead: TSSWCB

More information is available at <http://www.tsswcb.state.tx.us/watersheds#littlebrazosriver>. This project will affect livestock and poultry operations in the Walnut, Pin Oak, Campbells, Mud and Spring Creek watersheds in Robertson County.

#### **Lower San Antonio River**

Impairment: Bacteria  
Mechanism: TMDL, I-Plan  
Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/34-lowersanantonibac.html>. This TMDL will affect livestock operations in the Lower San Antonio River watershed in Karnes, Goliad, Refugio, DeWitt, Wilson, Victoria, and Guadalupe Counties.

#### **North Bosque River**

Impairment: Nutrients, Bacteria  
Mechanism: TMDL, I-Plan  
Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/06-bosque.html>. This TMDL affects dairy operations in the North Bosque River watershed in Bosque, Erath, Somervell, Hamilton, Coryell and McLennan Counties.

#### **Onion Creek**

Impairment: None  
Mechanism: WPP  
Lead: Third party

More information is available at <http://www.waterqualityplan.org/>. This WPP affects agricultural operations in the Onion Creek watershed in Hays and Travis Counties.

#### **Oso Bay and Oso Creek**

Impairment: Bacteria  
Mechanism: TMDL, I-Plan  
Lead: TCEQ



More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/67-osobaybacteria.html>. This TMDL may affect livestock and farming operations in the Oso Bay/Creek watershed in Nueces County.

### **Peach Creek**

Impairment: Bacteria  
Mechanism: TMDL, I-Plan  
Lead: TCEQ

More information is available at [http://www.tceq.state.tx.us/implementation/water/tmdl/34-peachcreek\\_group.html](http://www.tceq.state.tx.us/implementation/water/tmdl/34-peachcreek_group.html). This TMDL will affect livestock operations in the Peach Creek watershed in Gonzales, Bastrop, Fayette and Caldwell Counties.

### **Pecos River**

Impairment: Dissolved Oxygen  
Concern: Salinity  
Mechanism: WPP  
Lead: TSSWCB

On December 1-3, 2009, TSSWCB SRM staff [Mitch Conine], and TSSWCB Field staff [Joe Freeman, Ben Wilde] attended public meetings in Imperial, Iraan, Ozona and Pecos. The final WPP was presented to the stakeholders at the meetings. Project personnel presented the next steps to begin implementation of the WPP. Through implementation funding provided by the TSSWCB with a CWA §319(h) grant, the Crockett SWCD #235 and the Upper Pecos SWCD #213 will each hire a technician to support chemical saltcedar treatments along the riparian corridor and to encourage landowners to voluntarily implement recommended BMPs on their land. Technical and financial assistance will be provided to landowners to develop and implement WQMPs to reduce nutrient and sediment loss and consequently affect dissolved oxygen levels. Educational programs will also be provided to landowners across the watershed. Biological control of saltcedar will be promoted in areas where chemical treatment is either impractical or where landowners opt out. A

new continuous water quality monitoring station will be installed near Girvin.

More information is available at <http://pecosbasin.tamu.edu/>. This WPP will affect agricultural operations in the Pecos River watershed in Andrews, Brewster, Crane, Crockett, Culberson, Ector, Jeff Davis, Loving, Pecos, Presidio, Reagan, Reeves, Terrell, Upton, Val Verde, Ward and Winkler Counties.

### **Plum Creek**

Impairment: Bacteria  
Concerns: Nutrients  
Mechanism: WPP  
Lead: TSSWCB

More information is available at <http://plumcreek.tamu.edu/>. This WPP affects livestock and farming operations in the Plum Creek watershed in Caldwell and Hays Counties.

### **Red River above Lake Texoma**

Impairment: Bacteria  
Mechanism: Assessment  
Lead: Third party

On December 8, 2009, the River Systems Institute hosted the *Red River Watershed Forum: Lake Texoma Stewardship* at Eisenhower State Park in Denison. On December 9, 2009, the River Systems Institute hosted the *Red River Water Quality Forum: From Science to Solutions* in Wichita Falls. Decision-makers, scientists, and interested citizens from Texas and Oklahoma participated in these water quality workshops with a special focus on pathogens in the Lake Texoma area. The goal of the workshops was to foster communication among institutions throughout the Red River Basin, identify approaches for outreach and education that can be shared, promote awareness about transboundary management strategies, and initiate a communication process that reaches across the Basin.

More information is available at <http://www.rivers.txstate.edu/projects/rivers/Red-River-.html>. This project affects livestock

operations in portions of the Red River Basin in numerous counties.

### **Rio Grande below Falcon Reservoir**

Impairment: Bacteria  
Mechanism: WPP  
Lead: TCEQ

This project has the potential to affect livestock operations in Starr, Jim Hogg and Hidalgo Counties.

### **San Bernard River**

Impairment: Bacteria  
Mechanism: WPP  
Lead: Third party

On January 21, 2010, over 30 people attended a Texas Watershed Steward workshop in West Columbia. Sponsored by TSSWCB, through a Clean Water Act §319(h) nonpoint source grant, and facilitated by the Texas AgriLife Extension Service, the training discussed what it is to be a watershed steward, watershed impairments, managing urban and rural lands through the use of BMPs, and how to get involved in community-driven watershed protection and management. The training also involved interactive displays such as a rainfall simulator. The workshop was held in support of on-going watershed planning efforts being facilitated by the Houston-Galveston Area Council and TCEQ in the San Bernard River watershed. More information on the Texas Watershed Steward Program is available at <http://tw.s.tamu.edu/>.

More information is available at <http://www.h-gac.com/go/sanbernard> and <http://www.sanbernardriver.com/>. This project has the potential to affect farming and livestock operations in the San Bernard River watershed in Austin, Brazoria, Colorado, Fort Bend and Wharton Counties.

### **South Llano River**

Impairment: None  
Mechanism: Assessment and Planning  
Lead: Third party

More information is available at <http://southllano.org>. This project has the potential to affect farming and livestock operations in the South Llano River watershed in Edwards, Kerr, Kimble, Real and Sutton Counties.

### **Upper Cibolo Creek**

Impairment: bacteria  
Concern: dissolved oxygen, nutrients  
Mechanism: WPP  
Lead: TCEQ

More information is available at <http://www.ci.boerne.tx.us/>. This WPP has the potential to affect livestock operations in the Upper Cibolo Creek watershed in Kendall County.

### **Upper Guadalupe River**

Impairment: bacteria  
Mechanism: TMDL, I-Plan  
Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/65-guadalupeabovecanyon.html>. This TMDL has limited affect on livestock operations in the Upper Guadalupe River watershed in Kerr County.

### **Upper Oyster Creek**

Impairment: Bacteria, Dissolved Oxygen  
Mechanism: TMDL, I-Plan  
Lead: TCEQ

The public comment period on *Two TMDLs for Dissolved Oxygen in Upper Oyster Creek (Segment 1245)* closed November 18, 2009. A response to comments received is being developed by TCEQ staff and, if appropriate, the draft TMDLs may be revised. These TMDLs must be adopted by TCEQ and approved by EPA before they are effective.

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/25-oystercreek.html>. This TMDL will have limited affect on farming and livestock operations in the Upper Oyster Creek watershed in Fort Bend County.

## Upper Trinity River

Impairment: Bacteria

Mechanism: TMDL, I-Plan, RUAA

Lead: TCEQ

On January 12, 2010, TCEQ hosted a stakeholder meeting in Dallas to discuss the *Allocation Support Document for Two TMDLs for Bacteria in the Upper Trinity River*. The document includes the TMDL allocations for two impaired assessment units of the Upper Trinity River. Previously, this TMDL project had included portions of the West Fork Trinity and Elm Fork Trinity River. TMDL development work has been discontinued in these waters since they are either meeting current contact recreation use standards or are expected to meet the proposed contact recreation use standards.

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/66-trinitybacteria.html>. These TMDLs will have limited affect on livestock operations in the Upper Trinity River watershed in Dallas, Denton, Ellis, Henderson, Kaufman, Navarro and Tarrant Counties.

---

## Water Supply Enhancement Program Status Report

The 81<sup>st</sup> Legislature continued funding for the Water Supply Enhancement Program by providing \$4,503,641.00 in General Revenue Funds in FY10. These funds were directed to be used for continuation of brush control projects designated by the Soil and Water Conservation Board.

- Provided the following SWCDs with Water Supply Enhancement Program Updates, Water Supply Enhancement Program Certification, and /or Contracts

### Area 1 District

Donley County SWCD

### Area 2 Districts

Middle Concho SWCD

Eldorado-Divide SWCD

Tom Green County SWCD

Pedernales SWCD

Gillespie County SWCD

Kerr County SWCD

Kendall SWCD

### Area 3 Districts

McMullen County SWCD

LaSalle County SWCD

Caldwell-Travis SWCD

Comal-Guadalupe SWCD

Webb SWCD

Frio SWCD

### Area 5 Districts

Archer County SWCD

Lower Clear Fork of the Brazos SWCD

Pecan Bayou SWCD

Bosque SWCD

Little Wichita SWCD

### **Current Water Supply Enhancement Projects throughout the State and Project Managers:**

- Canadian River Project- Rod Goodwin  
Canadian River Municipal Water Authority
- Greenbelt Water Authority – Bob Gruner
- Twin Buttes- Tuffy Wood
- Little Wichita River (Archer and Clay Counties)- Cody York
- Pedernales Project- Melissa Grote
- Guadalupe River Project- Melissa Grote
- Edwards Aquifer Project (Bandera County)-  
Melissa Grote
- Lake Brownwood Project- Cody York
- Nueces River Project- Tuffy Wood
- Bosque Project- Cody York
- Lower Guadalupe River – Kendria Ray
- Frio River Watershed – Adrian Perez
- Fort Phantom Hill- Cody York
- Palo Pinto- Cody York
- Carrizo-Wilcox Aquifer- Kendria Ray

## **Evaluating Watersheds are based on the following criteria as per Chapter 203.053:**

In ranking areas under the plan, the board shall consider:

- (1) the location of various brush infestations;
- (2) the type and severity of brush infestations;
- (3) the various management methods that may be used to control brush;
- (4) the amount of water produced by a project and the severity of water shortage in the project area; and

any other criteria that the board considers relevant to assure that the brush control program can be most effectively, efficiently, and economically implemented

## **Evaluating Limits on Cost Share Participation as per Chapter 203.154**

- (a) Not more than 70 percent of the total cost of a single brush control project may be made available as the state's share in cost sharing.
- (b) A person is not eligible to participate in the state brush control program or to receive money from the state brush control program if the person is simultaneously receiving any cost-share money for brush control on the same acreage from a federal government program.
- (c) The board may grant an exception to Subsection (b) if the board finds that joint participation of the state brush control program and any federal brush control program will:
  - (1) enhance the efficiency and effectiveness of a project;
  - (2) lessen the state's financial commitment to the project; and
  - (3) not exceed 80 percent of the total cost of the project.
- (d) A political subdivision is eligible for cost sharing under the brush control program, provided that the state's share may not exceed 50 percent of the total cost of a single project.
- (e) Notwithstanding any other provision of this Section, 100 percent of the total cost of a

single project on public lands may be made available as the state's share in cost sharing.

## **Staff Activities**

- Evaluate pending application sub basin criteria from all projects
- Assisted landowners in Twin Buttes, Pedernales, Pecan Bayou, Lake Arrowhead, Lake Kickapoo, Bosque River with Brush Certifications
- Assisted landowners in Twin Buttes, Pedernales, Pecan Bayou, Lake Arrowhead, Lake Kickapoo, Bosque River with Brush Contracts
- Assisted Victoria SWCD with Huisache proposal on Water Enhancement Program in the Lower Guadalupe Watershed
- Assisted Gonzales County SWCD with Water Enhancement Project on the Carrizo Wilcox Aquifer
- Assisted Palo Pinto SWCD with Water Enhancement Project on the Palo Pinto Reservoir Watershed
- Assist Sunset Commission on Water Supply Enhancement Program
- Assisted UCRA with the Twin Buttes lake basin project

---

## **FLOOD CONTROL DAM PROGRAMS**

### **Background**

Nearly 2,000 floodwater retarding structures, or dams, have been built over the last 60 years within the State of Texas. The primary purpose of the structures is to protect lives and property by reducing the velocity of floodwaters, and thereby releasing flows at a safer rate. These are earthen dams that exist on private property, and were

designed and constructed by the United States Department of Agriculture - Natural Resources Conservation Service (USDA-NRCS). They were built with the understanding that the private property owner would provide the land, the federal government would provide the technical design expertise and the funding to construct them, and then units of local government would be responsible for maintaining them into the future.

Local sponsors of the dams were required before a federal project was begun. Local sponsors signed a watershed agreement which outlined the duties and responsibilities of the federal and local sponsors. In general, local sponsors are required to obtain and enforce easements, conduct operation and maintenance (O&M) inspections, maintain the structures, and implement land treatment measures in the watershed. SWCDs are one of the local sponsors in all watershed projects. Other local sponsors include counties, cities, and Water Control and Improvement Districts (WCIDs).

Due to the passage of time and difficulty in raising adequate funds locally, many sponsors approached the Texas Legislature with their concerns over amount of needed O&M and repairs. In recognition that these dams will continue to serve as a critical protection for our state's infrastructure, private property, and lives, the Legislature appropriated \$15 million dollars to the TSSWCB for grants to local SWCDs during the 2010-2011 biennium for O&M and structural repairs.

### **Structural Repair Grant Program Rules**

Rules for the Structural Repair Grant Program were approved by the State Board on November 19, 2009 to be published in the Texas Register for a 30-day public comment period. The rules were published in the January 1, 2010 edition of the *Texas Register*, and the public comment period will continue through the end of the month. TSSWCB staff will review comments received and prepare a recommendation for the State Board to consider at their March 2010 meeting.

### **O&M Grant Program Rules**

The State Board adopted rules for the O&M Grant

Program on September 17, 2009. In order to make references between the adopted O&M program rules and the newly proposed structural repair program rules clear and more understandable, agency staff recommended the State Board propose minor changes to the O&M program rules. Included in these proposed changes are a few typographical corrections, amendments to language to improve clarity of existing intent, and one substantive change relating to the addition of one definition. Staff recommended the definition of operation and maintenance (O&M) be expanded to include minor maintenance of roads within an easement used in gaining access to a flood control dam for the purpose of performing O&M. The expanded definition stipulates that such maintenance of roads would not be reimbursed by the State Board, but may be considered as an in-kind contribution of match. The State Board approved these proposed amendments to be published in the Texas Register for a 30-day public comment period. The rules were published in the January 1, 2010 edition of the *Texas Register*, and the comment period continued through the end of the month. The proposed amendments to the O&M rules have also been made available on the TSSWCB's website. TSSWCB staff will review comments received and prepare a recommendation for the State Board to consider at their March 2010 meeting.

For more information on these new programs, please visit the TSSWCB's website at:  
<http://www.tsswcb.state.tx.us/en/floodcontrol>

### **O&M Work Shop Planned**

On March 30th and 31st in Fredericksburg, Texas, the National Watershed Coalition will conduct an Operation and Maintenance / Sponsor Responsibility 101 Workshop for Texas flood control dam sponsors. The workshop is being conducted in cooperation with the Texas Association of Watershed Sponsors, Texas State Soil and Water Conservation Board (TSSWCB), and USDA Natural Resources Conservation Service.



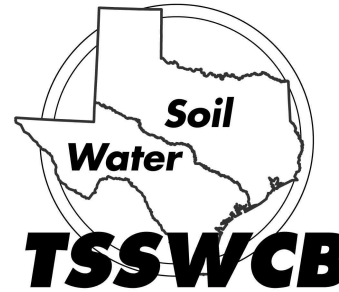
The two-day workshop will include a variety of topics such as improving structure operation and maintenance (O&M), watershed project sponsor responsibilities, and an overview of the new O&M and repair grant programs being administered by the TSSWCB. Easement defense and enforcement, emergency action plans, and rehabilitation of aging dams and local sponsors actions will also be covered, and a tour of flood control dams in the local area will take place on the second day.

Attendance is limited to 80 participants and registration information is available on the workshop announcement. Participants must register and submit a fee of \$160 to the National Watershed Coalition no later than March 10, 2010, which is the deadline for registration. For additional information, refer to the contact information included on the [workshop announcement](#).

---

*Monthly Program News and Activities* is produced by the Texas State Soil and Water Conservation Board (TSSWCB) for use by Texas soil and water conservation district directors. If you have any questions regarding its contents, or have information you would like to see in a future issue, please contact Meredith Whitley (254) 773-2250 or [mwhitley@tsswcb.state.tx.us](mailto:mwhitley@tsswcb.state.tx.us).

The Texas State Soil and Water Conservation Board (TSSWCB) is a state agency that administers Texas' soil and water conservation law and coordinates conservation and pollution abatement programs throughout the State. Headquartered in Temple, Texas, the TSSWCB offers technical assistance to the state's 216 soil and water conservation districts (SWCDs). The TSSWCB is the lead state agency for the planning, management, and abatement of agricultural and silvicultural (forestry) nonpoint source pollution, and administers the Texas Brush Control Program. The TSSWCB maintains regional offices in strategic locations in the State to help carry out the agency's responsibilities.



4311 S 31<sup>ST</sup> STREET, SUITE 125  
TEMPLE, TEXAS 76502  
(254) 773-2250  
[www.tsswcb.state.tx.us](http://www.tsswcb.state.tx.us)